

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:11-CR-00337-RJC-DSC-12**

USA,)
Plaintiff,)
v.) **ORDER**
CORVAIN T. COOPER,)
Defendant.)

THIS MATTER is before the Court upon the defendant's Notice of Appeal and Motion to Revoke Detention Order, pursuant to 18 U.S.C. § 3145(b). (Doc. No. 198).

The defendant was arrested on or about January 28, 2013, in the Central District of California on a warrant issued in this district as a result of his being charged in an indictment for a marijuana trafficking conspiracy. (Doc. No. 171: Rule 5(c)(3) Documents). The defendant was detained by a magistrate judge in the Central District of California after a hearing on January 30, 2013. (*Id.*).

Upon arrival in this district, the defendant requested another detention hearing, which was held on March 19, 2013. The magistrate judge ordered the defendant's continued detention on the bases of: (1) the statutory presumption in favor of detention based on the charge; (2) the strength of the government's evidence; and (3) the seriousness of the defendant's criminal history, including drug felonies and robbery. (Doc. No. 191: Order). The defendant then filed the instant Notice of Appeal and Motion to Revoke Detention Order on April 10, 2013. (Doc. No. 198).

A district court is required to make an independent, de novo determination when acting on a motion to revoke or amend a magistrate judge's pretrial detention order. United States v. Stewart, 19 F. App'x 46, 48 (4th Cir. 2001)(citing United States v. Rueben, 974 F.2d 580, 585-86 (5th Cir. 1992)). However, a district court is not required to hold an additional evidentiary hearing as part of its review. United States v. King, 849 F.2d 485, 489-90 (11th Cir. 1988); United States v. Hare, 873 F.2d 796, 799 (5th Cir. 1989). After conducting its independent review, a district court may explicitly adopt the magistrate judge's order without making duplicate findings or may state additional reasons supporting pretrial detention. King, 849 F.2d at 490-91.

Here, the Court has carefully conducted a de novo review of the evidence presented before the magistrate judge and the entire record in this case. The Court finds the magistrate judge's factual findings and legal conclusions were correct, and, thus, adopts the magistrate judge's Order of Detention Pending Trial, (Doc. No. 191), in its entirety.

IT IS, THEREFORE, ORDERED that the defendant's Notice of Appeal and Motion to Revoke Detention Order, (Doc. No. 198), is **DENIED**.

The Clerk is directed to certify copies of this order to the defendant, counsel for the defendant, to the United States Attorney, the United States Marshals Service, and the United States Probation Office.

Signed: April 29, 2013



Robert J. Conrad, Jr.
Chief United States District Judge
